THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 24218 of 2005

Dated: 23.11.2005

Between:

B.Manik Reddy, S/o.B.V.N.Reddy,
R/o.8-7-28/9, RR.Nagar Old Boinpally,
Near MMR Gardens, Secunderabad and another.

.....PETITIONERS

AND

The Principal, Vardhaman College of Engineering,
Shamshabad Mandal, Ranga Reddy District and another.

.....RESPONDENTS

ORDER:

The petitioners are students of fourth year B.Tech in the first respondent-college. They state that they have put in adequate percentage of attendance and complain that despite the same, the college did not receive their examination fee and that they were not permitted to appear in the semester examination.

The writ petition came up for admission on 10.11.2005. On 11.11.2005, a direction was issued to the first respondent to produce the attendance register. Today, the first respondent has filed the counter-affidavit and produced the relevant record.

Heard the learned counsel for the petitioners, the learned for the first respondent and the learned standing counsel appearing for the second respondent.

The short question in this writ petition is, as to whether the petitioners had adequate attendance and despite the same, they were not permitted to appear in the examination?

A specific allegation was made to the effect that subsequent to 01.08.2005, the petitioners were not marked any attendance at all. Reliance is placed on certain notices displayed by the college.

In the counter-affidavit, it is specifically stated that the notice, indicating that attendance would not be marked, was meant for those candidates, who did not pay the tuition fee, as a measure to convince them and that in no case, the students were denied attendance for the day they attended, irrespective of the fact as to whether the fee is paid or not.

The first respondent produced the attendance register, which clearly discloses that the first petitioner had attended 42 out of 90 classes, whereas the second petitioner attended 40 classes. Both of them were marked attendance subsequent to 01.08.2005 and in fact, ¾th of their attendance is subsequent to that date.

It is not in dispute that the Rules framed by the University mandate that the students must put in atleast 75 percent of the attendance to become eligible to appear in the examination and in deserving cases, the deficiency to an extent of 10 percent can be condoned. The attendance put up by the petitioners is less than 50 percent. Therefore, the question of permitting the petitioners to appear in the examination does not arise.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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23.11.2005

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